

1895-036 Chancery Causes: Hamblen & Russell vs. Thomas McPherson  
Lee Co.

Hamblen, Russell

CA-Debt  
T-Property



To The Honorable W. T. Miller Judge of The Circuit  
Court of Lee County.

Humbly Complaining, sheweth unto your honor your  
orators C. S. Hamble & C. D. Russell late partners doing  
business under the firm name and style of Hamble

& Russell, that on the 19<sup>th</sup> day of Feb 1894 they obtained  
before W. C. Joslyn a Justice of the Peace for Lee County  
a judgment against Thomas S. McPherson of the  
said county, for \$17.55 with interest thereon at six per  
cent per annum from the 25<sup>th</sup> day of June 1885 till paid

and \$1.00 on which said judgment a writ of Fieri Faci  
was duly issued by the said Justice directed to the Sheriff  
of the said county, returnable in 60 days, which was  
placed in the hands of the said Sheriff to be executed and  
was on the return day thereof returned by the said Sheriff  
with the following return enclosed therewith:

"Not executed no property found; H. P. Arrington D. for C. E.

Hananay Sheriff of Lee County: Said judgment and  
execution with return thereon are here filed marked 'A'  
and your orators charge that the aforesaid notice required by law has been given  
and asked to be made part of this bill, Now your orators

further states that the said T. S. McPherson is seized and  
possessed in fee simple of a tract of land lying and being  
in the said county containing acres bounded by the  
lands of that your orators

judgment no part of which has been paid is a subsisting  
lien, under the statute law of Virginia on sales real estate  
having been duly docketed in the The County Court Clerk's  
office in judgment book, that the rents and profits  
of the said real estate will not satisfy the said judgment

in five years. Therefore the prayer of your orators is that  
T. S. McPherson be made a party defendant to this bill  
and answer the same on oath that the said real estate



June Term 1894

C 5.20

S 50

Atty 5.00

Estimated 5.00

\$15.70

1 Ely -

Humble Ed Russell Petts.

vs Bitten Chaucy -

T. S. McPherson Deft.

1894. 2nd May Rules Bill  
Filed Sp. 24 D. M.

" 1st June Rules taken the  
Monday D. M. Confd  
+ Cause set for hearing  
by Plaintiff

" November Term Decree  
+ Continued

1895 March Term Decree final  
See order Book Page  
141-2.

or so much thereof as may be necessary be sold to satisfy  
your aforesaid judgment, and that you have no more  
great unto your aforesaid such further and general  
relief as may be consistent with equity and the case  
requires, may it please your Honor and the court  
may etc  
m. y. Ely D. M.



VIRGINIA--LEE COUNTY, TO WIT:

TO The Sheriff or any Constable of said County:

I HEREBY COMMAND YOU TO SUMMON

Thos McPherson

If to be found in your District to appear at any office in said county, on the 6 day of Jan 1894 before me or such other Justice of the said County, as may be there to try this warrant, to answer complaint of Hamblen & Russell

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$17<sup>53</sup>/<sub>100</sub> due by Note and then and there make return of this warrant.

Given under my hand the 30<sup>th</sup> day of Dec 1893.

W. A. Owens J. P.

Hamblen & Russell

Against Thomas McPherson

On the 19<sup>th</sup> day of Feb 1894

(In debt.)

At Jonesville

in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$17<sup>53</sup>/<sub>100</sub>, with interest thereon from the 25<sup>th</sup> day of June 1893, till paid, and \$1<sup>00</sup>/<sub>100</sub> for costs.

H. C. Jordan J. P.

VIRGINIA--Lee County, To wit: To H. C. Jordan Sheriff Constable of said County. I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of Thomas

McPherson, in your county, you cause to be made the sum of \$17<sup>53</sup>/<sub>100</sub> with interest hereon from the 25<sup>th</sup> day of June 1893, till paid, which Hamblen

& Russell has recovered before me warrant in debt, and

also the sum of \$1<sup>00</sup>/<sub>100</sub> which were adjudged to the said Hamblen & Russell for costs in prosecuting said warrant. Given under my hand the 19<sup>th</sup> day of Feb 1894

H. C. Jordan J. P.



This case is continued until the  
first day of Feb Court. Feb 19<sup>th</sup> 1894.  
This Jan 16<sup>th</sup> 1894. H. C. Corliss J.B.  
costs paid by Plaintiff.

April 16/94.

Filed Apr 16 1894

Hambler, Russell  
vs. warrant  
Thomas McPherson

Dock Justice D.  
Page 41.

July 21 1894

Returned No property  
found. This April 16  
1894 H.P. Arrington  
Depty for C.E. Olmery  
J.L.C.

V.D.  
This case continued  
until Tuesday 16<sup>th</sup> Jan  
1894. H.C. Corliss J.B.  
James McPherson  
and my mother  
Jan 6 1894  
H.C. Corliss



Hamber & Russell  
vs. } Dismissed  
T. S. McPherson }

This cause came on this day to be heard upon the papers formerly read in the cause and was argued by counsel, On consideration of which and it being admitted in open court by counsel for Plaintiffs that since the last term of this court, that defendant has paid or settled in full the amount in controversy it is ordered that the cause be stricken from the docket.



Hampden Ed Russell  
vs { Dece final  
T. S. McPherson

O.B.  
Page 141

Entered this  
M J M  
march 6th 1895



Hambleen and Russell

vs. } } In Chy.  
}

O. S. McPherson.

This cause came on this day to be heard upon the bill taken for confessed as to the defendant upon whom process had been duly served, he failing to appear, plead, answer and demur, and was argued by counsel on consideration of which the Court doth adjudge, order and decree <sup>that</sup> the plaintiff recover of the defendant the sum of \$17<sup>55</sup>/<sub>100</sub> with interest thereon from the 25<sup>th</sup> day of June 1885 till paid and \$1<sup>00</sup> costs, and it is further adjudged, ordered and decreed that unless the defendant or some one for him pay to the plaintiff the aforesaid sum within ten days from the rising of this court that M. G. Ely who is hereby appointed special commissioner for the purpose, do rent the said land or so much thereof as may be necessary in the bill mentioned to pay the said debt, at the front door of the Courthouse to the highest bidder on a credit of six months, except costs which



will be required to be paid in hand  
after having first duly advertised the  
same for at least thirty days by notice  
posted at the front door of the courthouse  
and in the vicinity of said land, this  
~~renting shall be made at the front door~~  
~~of the courthouse~~, but before the  
commissioner makes said renting he  
shall execute bond in the sum  
of fifty dollars conditioned according  
to law and report to Court, and the  
cause is continued

Hamblen & Russell

vs. } } Deere

J. S. McPherson

Enter Chy. Ord. Book 4 p. 22

Enter this  
M J M  
June 12<sup>th</sup> 1874



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Thomas McPherson*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *3rd* Monday in *May*, 189*4*, to answer a bill in Chancery,

exhibited against *him* in our said court by *C L Hamblen and*  
*C A Russell late partners in trade under the*  
*firm name and style of Hamblen and Russell*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house,

the *16th* day of *April*, 189*4*, and in the *11 8th* year of  
the Commonwealth.

*A B Munsey* Clerk.



Hamblen & Russell

US. { SUBPÆNA  
IN CHANCERY.

Thomas McPherson

M. G. Ely p. q.

To 2<sup>nd</sup> May Rules,  
Circuit Court.

Executed by  
delivering a true  
copy of the within to  
Thomas McPherson  
this April 30 day  
1894  
H. Polington  
Deputy for  
L. E. Tolson